



September 27, 1999

Mr. Merril E. Nunn
City Attorney
City of Amarillo
P.O. Box 1971
Amarillo, Texas 79105-1971

OR99-2704

Dear Mr. Nunn:

You ask us to reconsider Open Records Letter No. 99-1347 (1999). Your request for reconsideration was assigned ID# 127690.

The City of Amarillo (the "city") received a request for copies of documents in a particular internal investigation file. In Open Records Letter No. 99-1347 (1999), we concluded that the city must withhold incident report number 98-80057 from disclosure under section 552.101 of the Government Code in conjunction with section 58.007 of the Family Code. We further concluded that the remaining documents in the investigation file are not excepted from disclosure under section 552.103 of the Government Code and must be released to the requestor.

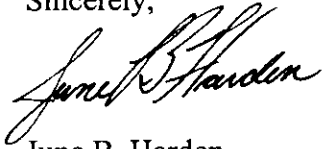
In Open Records letter No. 99-1813 (1999), you asked us to reconsider whether section 552.103 applied to the requested documents. You also asked for additional guidance about which documents are confidential under section 58.007 of the Family Code. You did not, however, resubmit the documents at issue to this office for review. Furthermore, you did not respond to our facsimile request to resubmit copies of the documents to this office. Based on your failure to provide information requested under section 552.303(c) of the Government Code, this office affirmed Open Records Letter No. 99-1813. *See* Gov't Code § 552.303(e) (stating that failure to comply with requirements of section 552.303(c) results in legal presumption that requested information is public).

You now ask that we reconsider Open Records letter No. 99-1813 (1999) based on your claim that your office did not receive our facsimile. Ironically, you have still not provided the documents at issue to this office for review. Accordingly, this office will no longer

entertain any additional arguments or discussion on this matter. The city must release the information at issue without further delay. Open Records letter No. 99-1813 (1999) is hereby affirmed.

If you have questions about this ruling, please contact our office.

Sincerely,

A handwritten signature in black ink, appearing to read "June B. Harden". The signature is fluid and cursive, with the first name "June" and last name "Harden" clearly distinguishable.

June B. Harden
Assistant Attorney General
Open Records Division

JBH/ch

Ref: ID# 127690

cc: Mr. Mark H. Taboada
P.O. Box 2682
Amarillo, Texas 79105